

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FT TO 4 FT FOR A PROPOSED POOL AND (2) REAR YARD SETBACK VARIANCE FROM 5 FT TO 2 FT FOR A PROPOSED POOL SCREEN ENCLOSURE; CHRISTOPHER S. YOUNG, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

**Agenda Date** 06-23-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FT TO 4 FT FOR A PROPOSED POOL AND (2) REAR YARD SETBACK VARIANCE FROM 5 FT TO 2 FT FOR A PROPOSED POOL SCREEN ENCLOSURE; CHRISTOPHER S. YOUNG, APPLICANT); OR
2. **DENY** THE REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FT TO 4 FT FOR A PROPOSED POOL AND (2) REAR YARD SETBACK VARIANCE FROM 5 FT TO 2 FT FOR A PROPOSED POOL SCREEN ENCLOSURE; CHRISTOPHER S. YOUNG, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #2, Morris)

(Earnest McDonald, Principal Coordinator)

<b>GENERAL INFORMATION</b>	CHRISTOPHER S. YOUNG 862 LEWIS PLACE LONGWOOD, FL 32750	PUD DISTRICT, LDC SECTION 30.451(d) & DEVELOPER'S COMMITMENT AGREEMENT FOR CHELSEA PLACE
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A POOL AND POOL SCREEN ENCLOSURE TO THE REAR OF AN EXISTING SINGLE-FAMILY HOME.</li> <li>• THE PROPOSED POOL AND POOL SCREEN ENCLOSURE WOULD ENCROACH 6 FT AND 3 FT, RESPECTIVELY, INTO THE MINIMUM REAR YARD SETBACK; THE STATED VARIANCES ARE THEREBY REQUESTED.</li> <li>• A COMMON AREA, APPROXIMATELY 41.8 FT IN WIDTH AND REFERENCED AS TRACT "B" ON THE SUBMITTED SITE PLAN, ABUTS THE REAR OF THE SUBJECT PROPERTY; THE PROPOSED IMPROVEMENTS WOULD NOT ENCROACH INTO THIS AREA.</li> <li>• THERE IS NO RECORD OF VARIANCES HAVING BEEN</li> </ul>	

	GRANTED FOR THIS PROPERTY OR SIMILAR VARIANCES HAVING BEEN GRANTED FOR NEARBY AND ADJACENT PROPERTIES.
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"><li>• THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT:<ul style="list-style-type: none"><li>○ THE CHELSEA PLACE PUD DISTRICT STANDARDS ARE CONSISTENT WITH THOSE OF THE R-1AA DISTRICT.</li><li>○ WHILE POOLS AND POOL SCREEN ENCLOSURES ON ADJACENT AND NEARBY PROPERTIES DO NOT APPEAR TO ENCROACH INTO THE MINIMUM SETBACKS TO THE EXTENT THE SUBJECT BUILDING DOES, THE SUBJECT PROPERTY HAS A LESSER DEPTH THAN THE TYPICAL LOT CONFORMING TO THE R-1AA DISTRICT STANDARDS.</li><li>○ THE STANDARD LOT IN THE R-1AA DISTRICT HAS A MINIMUM SIZE OF 11,700 SF, A MINIMUM WIDTH OF 90 FT AT THE BUILDING LINE, AND A TYPICAL DEPTH OF 130 FT; WHILE THE SUBJECT PROPERTY CONFORMS TO THE MINIMUM LOT SIZE AND WIDTH, THE EXISTING DEPTH (106.5 FT) IS SUBSTANTIALLY LESS THAN THE TYPICAL 130 FT DEPTH.</li><li>○ THE PROPOSED POOL AND POOL SCREEN ENCLOSURE COULD BE CONSTRUCTED IN THE (EAST) SIDE YARD WITHOUT ENCROACHMENT INTO THE MINIMUM SETBACKS; HOWEVER, COVENANTS FOR THE CHELSEA PLACE PUD WOULD RESTRICT THE CONSTRUCTION OF THE SAME TO THE REAR OF THE EXISTING HOME</li><li>○ THE REDUCED DEPTH OF THE LOT HAS MINIMIZED BUILDABLE AREA FOR A POOL AND POOL SCREEN ENCLOSURE IN THE REAR YARD, WHERE THESE TYPES OF IMPROVEMENTS GENERALLY OCCUR. THIS FACTOR, IN COMBINATION WITH RESTRICTIONS BY THE AFOREMENTIONED COVENANTS, CONSTITUTES A HARDSHIP.</li><li>○ THE GRANT OF THE REQUESTED VARIANCE WOULD NOT CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE CHELSEA PLACE PUD; NEARBY RESIDENTIAL PROPERTIES ARE DEVELOPED WITH SIMILAR POOLS AND POOL SCREEN ENCLOSURES.</li><li>○ THE REQUESTED VARIANCES WOULD BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE SUBJECT PROPERTY.</li><li>○ THE REQUESTED VARIANCES WOULD OTHERWISE BE IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE AND NON-INJURIOUS TO THE PUBLIC WELFARE.</li></ul></li></ul>
<b>STAFF RECOMMENDATION</b>	STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE VARIANCES REQUESTED, SUBJECT TO THE IMPOSITION OF THE FOLLOWING

	<p>CONDITION:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED POOL AND POOL SCREEN ENCLOSURE AS SHOWN ON THE ATTACHED SITE PLAN.</li></ul>
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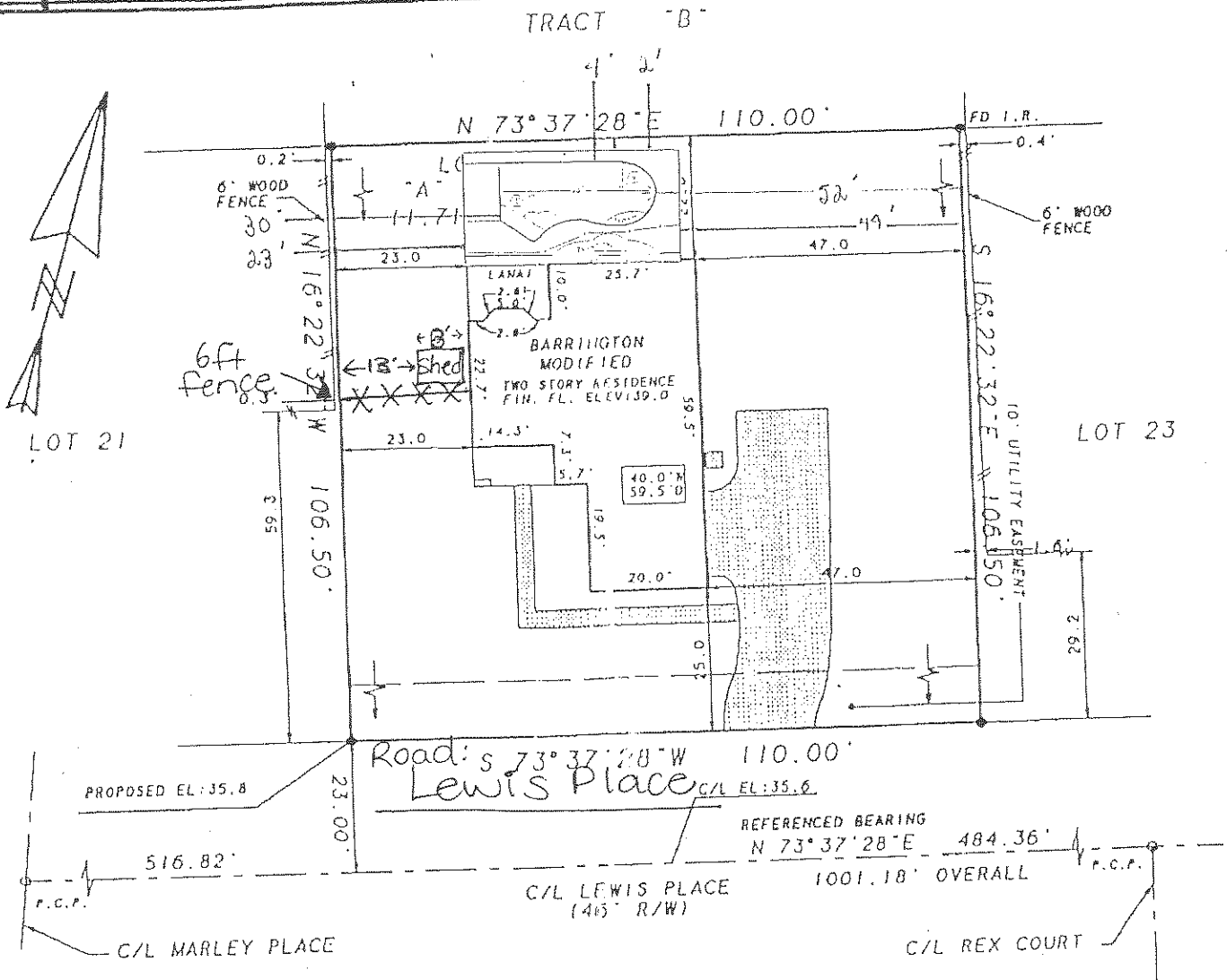
Road:  
Ronald Regan (427)  
Blvd

Herx & Associates Inc.

Professional Land Surveyors

1230 Douglas Avenue Suite 320, Longwood, Florida. 32779 (407)788-8808

Member of: Florida Surveying and Mapping Society, American Congress on Surveying and Mapping, Florida Land Surveyors Council



ADDRESS # 862 LEWIS PLACE

LEGAL DESCRIPTION: Lot 22 \* CHELSEA PLACE OF SEMINOLE COUNTY according to the plat thereof as recorded in Plat Book 47 at pages 75-76 of the Public Records of Seminole County, Florida.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "X" according to the Flood Insurance Rate Map Community Panel Number 20289 D30E. Date 04-17-95.

SETBACKS:

Front 25' Rear 20'  
Side 10' Corner 25'

Note: Bearings shown hereon are referenced to the C/L of LEWIS PLACE as being S 73° 37' 28" W.

Vertical datum is based on NGVD/OCVD Per Engineering construction plans by Engineering Design, Inc. Job No. 92-101

General Notes:

1. This is a Boundary Survey performed in the field on 4-15-98.
2. No underground improvements or subsurface aerial encroachments were located.
3. Elevations shown hereon, if any, are either assumed or were obtained from approved construction plans provided by client unless otherwise noted, and are shown only to depict the difference in elevation between the floor slab of the residence and the crown of pavement. Other elevations are from approved plans and have not been verified.

Legend:

CB Chord Bearing  
CD Chord  
CL Contour Line  
C.M. Concrete Monument  
(Calc) Calculated  
EI (Elev) Elevation  
FD Found  
Fin. Fl. Elev. Finished Floor Elevation

FB Plat Book  
PC Point of curvature  
P.C. Point of compound curvature  
PO Page  
POB Point of beginning  
POC Point of commencement  
PT Point of tangency  
PI Point of intersection  
P.C.P. Permanent control point

May 19, 2003

Seminole County Planning

To Whom It May Concern:

It has been brought to this Boards attention the issues the Youngs are having with securing a permit to install a pool in the rear of their residence, located at 862 Lewis Place, in Chelsea Place. The board has always opposed permanent structures to the side of any home. This is due to the visual impact to the rest of the community, prohibiting structures directly visible from the roadway.

The Board of Directors has in the past determined that the homes located on the north side of Lewis Place be allowed exclusive use of the small common area tract, known as "Tract B" With this our Board has no issues with the Young's minor encroachment onto the easement of the Association's common area (Tract B)

Yours truly,

A handwritten signature in cursive script, appearing to read "Victor Selenica".

Victor Selenica  
President  
Chelsea Place HOA  
(407)321-1941